



Author: S Hertz	Last Review Date: January 2024
Responsible Person: Principal	New Review Date: August 2025
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1. PURPOSE & SCOPE

ABDO College exists to advance the Optical profession through the provision of high quality, innovative education and training. We are committed to helping students achieve their potential and make a rewarding contribution to their profession. We understand, however, that things can occasionally go wrong. Most concerns can be resolved by dialogue between the student(s) and staff concerned without having to raise a formal complaint. However, if students feel that the College or its staff are not providing an acceptable level of service, or have failed to provide a service, then a complaint may be made.

The College **defines a complaint** as an expression of dissatisfaction about the action or omission of teaching or service-related provision that warrants a response. This policy provides a clear mechanism for that to happen. The College will review what led to the complaint and, where appropriate, seek an early resolution. Outcomes will also be used to improve services to all members of the College.

In accordance with the Equality Act 2010, the College will consider any reasonable adjustments to this policy to take into account the needs of individual students. This procedure can be used by all registered ABDO College students.

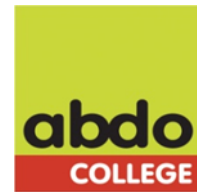
The College uses the term student to cover all learners, including apprentices.

N.B. Students studying in partnership with Canterbury Christ Church University (CCCU) are subject to the University’s Academic Appeals and Student Complaint Procedures in relation to the elements of the course delivered as part of their University Programme. See the relevant CCCU Blackboard and website for full details.

2. POLICY

1 Introduction

- 1.1 All parties involved in a complaint are expected to act reasonably and fairly and treat the process in a respectful manner. If inappropriate behaviour is displayed, action may be taken.



1.2 This policy covers the following areas:

- Provision or delivery of programmes or parts of programmes;
- Inadequate services or facilities;
- Decisions, actions or perceived lack of action taken by a member of College staff;
- Decisions, actions or perceived lack of action taken by a College service;
- Complaints relating to discrimination, harassment or bullying.

1.3. This policy does **not** cover the following areas:

- Complaints arising from action taken under the *Academic Misconduct Policy* and/or the *Non-Academic Misconduct Policy*;
- Complaints arising from matters related to academic progression, assessment or examination. Students cannot appeal academic judgement.
- Complaints relating to services provided by collaborative partners involved in the delivery of the student's programme. In such instances, students are referred to the complaint's procedure of the partner organisation but have the ultimate right of appeal to the College in the case of issues which impact on a student's programme of study.
- Complaints relating to the activities of another **student**. This is dealt with under the *Non-Academic Misconduct Policy*.
- Anonymous complaints.
- Complaints relating to the activities of a member of **staff** (including, but not limited to, bullying, harassment and discrimination by a member of staff) will be *initially* investigated under this policy. However, if there is evidence of behaviour which warrants investigation under the *Staff Disciplinary* procedure, then any further action under this policy may be paused, pending the outcome of that procedure.

1.4 The majority of cases are resolved through informal (Stage One) discussions without the need for a formal complaint to be made. Where a complaint relates to the provision or delivery of a programme or part of a programme, students should normally use their programme representative system in the first instance or speak to the programme lead.

1.5 Students are generally expected to have pursued appropriate informal resolution prior to bringing a formal complaint.

1.6 Academic queries can also be resolved through informal open communication with the relevant lecturer, tutor, or programme lead.

1.7 Group complaints are permitted. In the first instance, a group should raise any issues with the programme lead via their student representative or a nominated member of the group. If the matter is not resolved, the nominated student will submit the complaint and communicate with the College on behalf



of the group. The outcome of the complaint will apply to all members of the group.

- 1.8 Where informal resolution has not resolved the issue, students may enter the formal procedure at 'Stage Two.' If at the end of Stage Two, a student is still not satisfied that the complaint has been adequately addressed, they may be able to request a 'Stage Three' review of the outcome. The College's Student Complaints Procedure ('the Procedure' hereafter) ends with Stage Three.
- 1.9 If the student has exhausted the College's complaints procedure and remains dissatisfied with the outcome, they can contact the external agency relevant to the complaint:
 - 1.9.1 The Office of the Independent Adjudicator for Higher Education (OIA) for degree students.
 - 1.9.2 The Education and Skills Funding Agency (ESFA) for apprenticeships. The ESFA Apprenticeship Service Support can be contacted on **08000 150600** or helpdesk@manage-apprenticeships.service.gov.uk You can find more information about the procedure by following this link <https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>
- 1.10 The Procedure is not a legal process. It is the formal mechanism through which ABDO College considers if it has applied its regulations and procedures correctly and/or delivered its services to students satisfactorily, and/or any decision was both reasonable and proportionate. Where there is dispute over the facts of the case, the standard of proof shall be the balance of probabilities.
- 1.11 Legal representation is not permitted at any meeting held under this Procedure. If a student initiates legal proceedings against ABDO College or its Staff, any complaint on the same or related matter will normally be paused until those proceedings are complete.
- 1.12 Responsibility for the day-to-day operation of the Procedure lies with the Operational Services Team, who can be contacted any time by phone, on 01227 738829 Option 1 (complaints@abdocollege.org.uk). The **Head of Operations** oversees the process.
- 1.13 To streamline the processes and procedures for students, the same process is employed for both **Academic Complaints** and **Non-Academic Complaints**. See section 3 for a definition of **Academic Complaint**.
- 1.14 Where an academic complaint is made under this Procedure, the original decision shall stand until the final outcome of the Procedure is known.



2 Rejection of a complaint

- 2.1. A complaint may be rejected in the following circumstances:
 - complaints which are obsessive, harassing, prolific or repetitive;
 - insistence on pursuing non-meritorious complaints and/or unrealistic, unreasonable outcomes;
 - insistence on pursuing what may be meritorious complaints in an unreasonable manner;
 - complaints which are designed to cause disruption or annoyance;
 - demands for redress which lack any serious purpose or value;
 - complaints which are submitted outside of the normal timeframe, where an adequate reason for the delay has not been provided;
 - complaints which are considered to be without foundation or in bad faith.
- 2.2. If the complaint is rejected at this stage, the College will write to the student to explain why it is terminating consideration of the matter. The student can challenge this decision but is not able to submit additional evidence.
- 2.3. Any challenge must be submitted to Head of Operations within **5 working days** of the date of notification of the decision. They will consider whether the decision to reject the complaint was made in accordance with this policy. If the challenge is accepted the complaint will be considered in the usual way under this policy.
- 2.4. Where it is found that a student has raised a complaint in bad faith or used false information, the College will consider taking disciplinary action under the *Non-Academic Misconduct Policy*.
- 2.5. The College will not consider anonymous complaints.

3 Meaning of Academic Complaint

- 3.1. An **academic complaint** may include the following:
 - Appeals on the grounds of procedural irregularity or academic decisions being made *without awareness* of mitigating circumstances.
 - A Decision Maker or Misconduct Panel require you to undertake additional work but did so without good cause.
 - An extenuating circumstances application was appropriately submitted but not properly considered.
 - A material administrative error that has not been properly remedied and had a detrimental effect.
 - The assessment of your work was not conducted in accordance with the current regulations, frameworks, protocols, or conventions for the programme.
 - Alleged unsatisfactory delivery/administration of a programme of study.



3.2. Academic complaints **cannot** be made against:

- The academic or professional judgement of markers, examiners or panel members.
- Academic progression, assessment or examination. Students cannot appeal academic judgement.
- The decision made on the quality of assessed work (including professional practice) or the criteria being applied to assess the work.

4 Time Limits

- 4.1. Students are encouraged to submit an appeal or complaint as soon as possible, or within **20 working days**, after the event in question to support timely investigation and to enable the College to take prompt corrective action where necessary.
- 4.2. Complaints submitted beyond this time frame will be deemed to be out of time and will not be considered unless there is independent evidence to show compelling reasons as to why the complaint was not raised in a timely manner. Where an appeal or complaint is deemed out of time, the College will issue a Completion of Procedures Letter on request, noting the reason why the complaint was not considered.
- 4.3. The College is committed to dealing with all appeals and complaints as quickly as reasonably possible and will seek to follow the time limits set out in this Procedure. Students can expect that the College will normally have completed its consideration of a complaint within **40 working days** of its submission. However, from time to time there may be a reason for delay, particularly in more complex cases. In such circumstances students will be informed of any delay and the reason for it.

5 Advice and Support

- 5.1. Students are welcome to seek advice or clarification on the operation of the Procedure from the Operational Services (OpS) Team. The OpS team are not in a position to provide support with the drafting of complaints as this would conflict with their role in the process.
- 5.2. Students that hold ABDO membership have access to free legal advice and support as part of their registration. The Office of the Independent Adjudicator (OIA) for Higher Education provides free support to students.
- 5.3. Students accessing the Procedure are deemed to be adults, and the College's contract is with the student. Students should personally liaise with the relevant persons regarding their case, unless there is a good reason preventing them



from doing so. We cannot accept complaints made on behalf of students by ABDO College staff, staff at partner institutions, parents, or other third parties.

6 Disclosure and Confidentiality

- 6.1. We will deal with complaints sensitively and students will be treated without discrimination or disadvantage. It is necessary to provide a copy of the written complaint to any members of staff whose response is required to address the complaint fully.
- 6.2. Where a complaint is taken forward and concerns the actions of an individual member of College staff, that individual will be given the opportunity to respond. That individual will also have the right to be accompanied and/or assisted at any meeting by a colleague, who must be an ABDO College staff member. The role of the colleague is to provide moral support during a meeting or hearing. They cannot make representations nor question any other party at a meeting of the Complaints Panel.
- 6.2. In some rare cases a duty to breach confidentiality may exist, typically where it is necessary for the safety of the student or of other people. Students will be required, as part of their submission of a complaint, to give explicit consent to the above approach to the operation of the disclosure.
- 6.4. This Procedure complies with the standards set out in the Data Protection Act 2018 and GDPR Regulations.

3. PROCESS

7 Stage One: Local Informal Resolution

- 7.1. Complaints should, in the first instance, be raised informally with the relevant person, at the earliest opportunity. This should be via email, which will be followed up in a conversation. Often, this will be the student's Tutor, Lecturer or Programme Lead. If the complaint is concerned with the delivery of a service by the College, the student should raise the matter informally with the relevant manager. If the complaint is concerned with a staff member who would ordinarily be the first point of contact, the student should complain to the member of staff's line manager.
- 7.2. The relevant person, as defined above, will listen to and discuss the nature of the complaint. Although they will not carry out a formal investigation, they can advise on how the matter could be resolved and will normally keep informal notes.
- 7.3. All relevant information should be included in the email as it will not normally be possible to consider information submitted at a later point in the complaints process. The exception is if new evidence has come to light which could not



reasonably have been expected to be produced at the time of submission of the complaint.

- 7.4. If the complaint requires a more thorough investigation or is particularly complex, the relevant person may refer the student to Stage Two of this policy.

8 Stage Two: Formal Stage

- 8.1 Students who are dissatisfied with the outcome of informal resolution may submit a Stage Two Complaint, for a formal investigation by the College to be undertaken.
- 8.2. Students should submit a *Stage Two Complaint Form* to the Head of Operations within **20 working days** of the end of the informal stage, explaining why they believe the complaint was not dealt with in a reasonable and fair manner. This should be via the form (you can find a copy in **appendix II**) and submitted through the method detailed on the form. The Procedure cannot be initiated until a signed form has been received.
- 8.3. In submitting a complaint form, students should state clearly what it is they are appealing against or complaining about, why they are dissatisfied, and what it is that they would like to see done to resolve this issue. The complaint should encompass everything that the student would like to see addressed; new elements cannot be introduced later in the process. If an appeal or complaint relates to several different issues, students should ensure that these are clearly distinguished.
- 8.4. Students should submit all relevant supporting documentation and evidence with their Stage Two form.
- 8.5. On receipt of the form, the Operational Services (OpS) Team will acknowledge the receipt to the submitting party and will conduct an initial assessment of the case.
- 8.6. If, in the view of the OpS in consultation with the Chair of the Complaints Panel (CP), this assessment indicates that there are no valid grounds for consideration of the matter under the Procedure, the student will be advised of the reasons for this within **10 working days** of receipt.
- 8.7. Where it is considered that the matter should more properly be considered under a different policy, the student will be informed of this within **10 working days** and the complaint will not be progressed.
- 8.8. For cases to be investigated further, the CP will appoint an investigating officer. The investigating officer will investigate the circumstances of the complaint as well as the College's procedures. The investigation may involve interviewing the student making the complaint and others directly involved, as well as



seeking opinion and information from anyone with an interest in, or knowledge of, the matter being complained about.

- 8.9. The investigating officer will consider the merits of the complaint and if upheld, in part or in full, will make proposals for the resolution of the complaint and may recommend further appropriate action.
- 8.10. The decision of the investigating officer shall normally be communicated in writing to the student and the CP within **25 working days** of receipt of the Stage Two complaint. The College Principal will also receive a copy of the complaint and outcome.

9 Stage Three: Appeal

- 9.1. Students who remain dissatisfied with the outcome at formal stage have the right to request an appeal within **10 working days** of receiving the formal stage complaint outcome letter.
- 9.2. No new complaints can be introduced at stage three.
- 9.3. Students who wish to appeal must complete and return the *Stage Three Appeal Form* (you can find a copy in **appendix III**) outlining their preferred outcome and which of the statements below are their grounds for appeal:
 - a. That there is new evidence which was not available at stage one and two of the complaint.
 - b. That there was an error in the investigation which disadvantaged them.
- 9.4. Students should submit a Stage Three Complaints Form to the Head of Operations within **10 working days** of the Stage Two Complaint outcome.
- 9.5. The Principal will normally convene an **Appeals Committee** if either of the conditions of 9.3 are met. If not, the appeal will be dismissed and the student will be advised of the decision within **20 working days** of receipt.
- 9.6. If an Appeal Committee is convened, they will consider the merits of the complaint and if upheld in part or in full, will determine proposals for the resolution of the complaint, and may recommend further appropriate action. If there is insufficient reason, the Stage Two Complaint outcome will stand.
- 9.7. The decision of the Appeal Committee shall normally be communicated in writing by Chair within **5 working days** of the decision of the Appeal Committee.
- 9.8. The decision of the Appeal Committee is final. There is no further internal right of appeal.



10 External Review

10.1. If the student has exhausted the College's complaints procedure and remains dissatisfied with the outcome, they can contact the external agency relevant to the complaint:

- The Office of the Independent Adjudicator for Higher Education (OIA) for degree students.
- The Education and Skills Funding Agency (ESFA) for apprenticeships. The ESFA Apprenticeship Service Support can be contacted on **0800 150600** or helpdesk@manage-apprenticeships.service.gov.uk
<https://www.gov.uk/government/organisations/education-and-skills-funding-agency/about/complaints-procedure>

Related Policies:

- Academic Conduct Policy
- Non-academic Conduct Policy



Appendix I: Composition of the Appeal Panel at Stage Three of the College Complaints Procedure (Appeal Stage)

1. Where the complainant is granted a hearing, the Head of Operations will write to the student within **5 working days**, informing them of the process and timescales.
2. A witness may be called by the complainant or investigating officer. The Head of Operations must be notified of the names and status of any witnesses a minimum of **5 working days** prior to the Appeal Panel Hearing taking place.
3. The Principal will appoint an Appeals Panel within **5 working days** of receiving confirmation that the student has the right to appeal.
4. The composition of the Appeals Panel will normally be:
 - The Principal.
 - Programme Lead.
 - A Lecturer who has not had previous involvement with the complaint.
 - A minute taker.
5. The documentation for the appeal will be a:
 - Copy of the student's request for appeal.
 - Copy of the Stage Two investigation summary report.
 - Copy of the Stage Two complaint response letter to the student.
 - Any other evidence submitted by the student or other parties to the complaint at any stage during the complaint procedure.
 - All documentation to be considered at the Appeal Panel Hearing will be circulated to members of the Panel and the student at least 10 working days before the meeting.
6. The process to be followed at an Appeals Panel Hearing is as follows:
 - Introduction of the complainant and their representative and the Appeal Panel. All parties shall be present throughout the meeting.
 - The complainant and their representative shall have the right to address and present information to the Appeals Panel at the beginning of the meeting; the Appeals Panel may ask questions at the end of any address or presentation of evidence.
 - The investigating officer for Stage Two shall have the right to address and present information to the Appeals Panel; the Appeals Panel may ask questions at the end of any address or presentation of evidence.
 - Either party may call witnesses if previously notified and accepted. Witnesses will be present for their evidence and questions only and will then withdraw.



- Both the complainant and the investigating officer shall have the right to make final submissions to the Appeals Panel.
 - Both parties will withdraw while the Appeals Panel deliberates and comes to a conclusion
7. The decision and outcome of the Stage Three complaint will be communicated by the Chair of the Appeals Panel to all parties within **5 working days** of the hearing.
 8. The written response will state clearly whether the complaint has been upheld, partially upheld or rejected. It will also issue the complainant with a Completion of Procedures letter and details of how to proceed with their complaint externally. This concludes the process for the College.



Appendix II: copy of Stage Two form

Student Complaints Procedures Stage Two Complaint Form



Please ensure you have read the Student Complaints Procedure before completing this form.

A decision to proceed with a formal complaint will be made solely on the information you set out. It is therefore imperative that your submission is written in as clear and succinct a manner as possible, focusing on the key issues. You should substantiate your complaint by referring to specific events and providing documentary evidence where possible.

1. Your Details

Student number	
Family name	
First name	
Programme of study	
Email address	
Address for written correspondence	
Phone number	



**Student Complaints Procedures
Stage Two Complaint Form**



2. Complaint Type

Please indicate whether you are submitting an academic or a non-academic complaint. Details of what falls within each category can be found in Section 3 of the Student Complaints Procedure document.

- Academic Complaint Non-academic Complaint



**Student Complaints Procedures
Stage Two Complaint Form**



3. The Grounds of Your Complaint

Please indicate to the grounds on which you are submitting your complaint – see the Student Complaints Procedure document regarding what constitutes grounds for appeal or complaint:



**Student Complaints Procedures
Stage Two Complaint Form**



4. Informal Resolution

As stated in the Student Complaints Procedure, students are encouraged to attempt to resolve the matter informally before submitting a formal complaint. Please include details of the steps you have taken to do this, who you have spoken with and why you feel the outcome has been unsatisfactory.

5. Your Complaint

Please outline the nature of your complaint.



**Student Complaints Procedures
Stage Two Complaint Form**



6. The Outcome

If your complaint is upheld, what action would you like to be taken?



**Student Complaints Procedures
Stage Two Complaint Form**



7. Supporting Documentation

Please include copies of any relevant supporting documentation with your complaint, as additional material cannot be considered later. You do not need to include a copy of the College's Regulations to which you may refer in your appeal or complaint, but you should submit any relevant material to which the Operational Services Team may not necessarily have access. If the matter complained about is complex and occurred over an extended period please supply a chronology listing the incidents and/or communications relevant to the complaint. If the Operational Services Team is unable to establish a clear chronology we may put your complaint on hold and ask you to provide clarification.

8. Declaration

I would like ABDO College to consider my complaint and declare that the facts stated in this application are true. I understand that:

- You will need to handle personal details about me which may include sensitive information (for example, relating to my health) in order to deal with my complaint effectively.
- You may need to exchange information about my complaint with other persons within ABDO College and external organisations.
- ABDO College is the data processor and will process my personal data in accordance with the General Data Protection Regulation (GDPR).
- If ABDO College wishes to transfer personal data to a data processor not listed on the form, ABDO College will need to seek separate consent for this.
- External transfer of personal data will be undertaken through approved security arrangements and/or sent only to the intended addressee.
- I understand that ABDO College may retain data relating to my complaint for a specified term in accordance with their Retention Schedule.

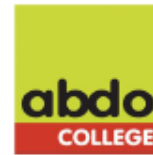
Name _____

Signature _____

Date _____



Student Complaints Procedures Stage Two Complaint Form



9. The Process

Please send your completed form along with supporting documentation to complaints@abdocollege.org.uk.

Where possible all correspondence will be via email. Please ensure you keep us updated on any changes to your contact details. Your complaint will be acknowledged on receipt by email and then assessed to ensure it fits within the scope of the Student Complaints Procedure. You will be advised on this and what happens next within ten working days of OpS receiving your form. If you have any queries please contact the OpS on 01227 738829.



Appendix III: copy of Stage Three form

**Student Complaints Procedure
Stage Three Review Form**



Please ensure you have read the Student Complaints Procedure before completing this form.

A decision to review your complaint will be made on the basis of the information supplied by you. It is therefore important that your submission is written in as clear and succinct a manner as possible.

1. Your Details

Student number	
Family name	
First name	
Email address	
Address for written correspondence	
Phone number	

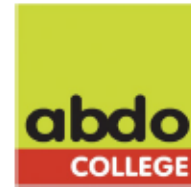
2. The Grounds of Your Review

Please indicate which of the grounds on which you are seeking a review of your complaint outcome. You may select more than one.

Procedural irregularity in the way in which the decision was reached	
New evidence that was not available during consideration of the complaint and where it would have been impossible for that evidence to have been made available at the time	
The decision was not reasonable given the circumstances of the case	



**Student Complaints Procedure
Stage Three Review Form**



3. Your Review

Please state the reasons for your dissatisfaction with the outcome of your complaint. It is not necessary to restate your original complaint.